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law, with no attempts at theorizing and but few at criticism, either of which would have been out of place in a work of this kind. The influence of Professor Thayer, under whom we believe the author studied, is manifest throughout the work. Regardless, however, of the question of originality, the work is of value for ready reference or for use in connection with the local digest.

The author is particularly to be commended for having followed the practice, originated, we believe, by Professor Wigmore in his work on Evidence, of concisely stating the gist of each case cited in the foot-notes. Since Professor Wigmore adopted this scheme with regard to the cases cited in the foot-notes of his work on Evidence, there is no excuse for subsequent legal authors accumulating a mass of unexplained citations in the foot-notes to the text of their works.

TRIAL EVIDENCE. By RICHARD LEA KENNEDY. St. Paul, Minn.: Keefe-Davidson Publishing Co. 1906. pp. vii, 49.

The author has attempted to gather in compendious form the more important rules of evidence for rapid reference at a trial. Such a work cannot, of course, represent a contribution to legal theory, or even serve any valuable purpose in disseminating legal principle. It is, perhaps, inevitable that a book with this object should state what is deemed to be the law in a colorless and incoherent fashion. Another fault, perhaps also inherent, is incompleteness. For example, the treatment of the waiver of privilege is so fragmentary as to be practically useless. But the greatest defect of this little work lies in this: That it is written to suit all jurisdictions, and therefore suits none on any of the disputed points in the law of evidence. It is not very solid comfort that is derived by the attorney in the heat of a trial to find the statement that "jurisdictions are not in accord on this point," without even a hint as to which way the decisions run in his particular State. A volume, which makes no pretense of being useful in any other way, except that of an emergency reference, should really profess to be applicable to but a single jurisdiction precisely like other works on practice. We cannot see that this book fills any want not already satisfied by an edition of Stephen's Digest, discreetly annotated with respect to a particular jurisdiction; and it is lamentable but true that, in many instances, it does not fill these wants either so completely or so well.

BOOKS RECEIVED:

THE LAW OF TORTS. By SIR FREDERICK POLLOCK. 8th Ed. London: Stevens & Sons (Chicago: Callaghan & Co.). 1908. pp. xl, 695.

THE LAW OF BAILMENTS AND CARRIERS. By PHILIP T. VAN ZILE. 2nd Ed. Chicago: Callaghan & Co. 1908. pp. lxxiii, 856.

SELECT ESSAYS IN ANGLO-AMERICAN LEGAL HISTORY. By various authors. Compiled and Edited by a COMMITTEE OF THE ASSOCIATION OF AMERICAN LAW SCHOOLS. Boston: Little, Brown & Co. 1908. Vol. II., pp. vii, 823.

THE LAWS OF WAR ON LAND. By THOMAS ERSKINE HOLLAND. K. C. London and New York. Henry Frowde. 1908. pp. viii, 149.